

4.7.4.1.2.5 Application and Review Process/Review of the Permit Application/ Technical Review/Permit Application for New Facilities/Industrial Permits/CAFO

Applicability:

This applies to technical reviews operating permit applications for new or expanding Concentrated Animal Feeding Operations (CAFOs).

Content:

The primary regulatory citation related to CAFOs is 10 CSR 2-6.300 and 8.300. The term, concentrated animal feeding operation, is defined at 10 CSR 20-6.300(1)(B)8.

New CAFO refers both to newly built operations and operations that formerly did not have a NPDES permit. Form W – Concentrated Animal Feeding Operation (CAFO) Operating Permit Application and all attachments shall be checked for completeness as described in 4.7.2 of this manual. After the application is accepted as complete the permit writer proceeds with the technical review. The review must be done within the timeframes described in 4.5.1, 4.5.2. and 4.5.3.

The operation may have information on file especially if it previously held a letter of approval (LOA). If this is the case, the file is requested from archives. Then a quick file review is done to become familiar with the background of the operation. Next the permit writer reads the application and notes any deficiencies. Many references are used as design and review tools. For example, MidWest Plan Service-18, USDA Agricultural Waste Management Field Handbook, Code of State Regulations, Title 10, Division 20 chapters 6 and 8, Geohydrologic Evaluations from the department's Geological Survey Program (for earthen structures), Manual 121, Animal Waste Management, as well as others. In some cases the design engineer may include research or other references to support the design.

If the permit writer has concerns about an application, if it is found to be incomplete, or fails to meet regulatory requirements, a comment letter is sent to the design engineer or the applicant. Occasionally, e-mail, telephone or in-person conversation is used in place of a letter, particularly if only one or two minor comments need to be made. In this case the e-mail is printed or a telephone or meeting record is written and placed in the file.

The permit writer may find that a site visit is advantageous. There are many reasons for a site visit. Some examples include a complex operation, a new technology, an environmentally sensitive location, or significant public concern as well as others. These site visits are usually set up through a representative of the applicant, such as the design engineer or a NRCS employee. A representative of the regional office should be given a courtesy call or e-mail to let them know a site visit will be conducted as they may receive inquiries. Afterwards a brief site visit report should be written and kept in the file.

For reviews of site-specific permits, the permit writer must be aware of special conditions as described in 7.4.1. After completing review of the operating permit application, the reviewer will prepare the operating permit. The package will then be delivered to the Industrial Permits Unit Chief for review. After all concerns with the application have been addressed, the unit chief will deliver the package to the clerical unit. The clerical unit will prepare the operating permit for public notice or issuance.

Legal References:

Code of State Regulations:

<u>10 CSR 20-6.300</u>	Concentrated Animal Feeding Operations
<u>10 CSR 20-7</u>	Water Quality
<u>10 CSR 20-8.300</u>	Manure Storage Design Regulations

Other Links:

[MO-780-2112 Form W](#) – Concentrated Animal Feeding Operation (CAFO) Operating Permit Application

[4.5.1 Site-Specific Permit Application Deadlines](#)

[4.5.2 General Permit Application Deadlines](#)

[4.7.2 Completeness Check](#)

[7.4.1 Class IA Site-Specific Permits](#)

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